IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1494 OF 2007

1. Mr.Darshan Kashinath Gharat
2. Mr.Vinod Yadav Patil
3. Mr.Kiran Vitthal Gharat,
4. Mr.Atul Ramesh Gharat
All are residing at
Dongari, Tal.Uran.
Dist.Raigad ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.P.P.Runwal Advocate for Applicants
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MAY 03, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.13 of 2007 of Nhava Sheva Police Station, Tal.Uran, Dist.Raigad. The said case is mainly under Sections 353, 336, 337 and 143 to 147 of IPC.

3. It is the prosecution case that complainant and applicants belong to rival political parties. It

is the specific case of the prosecution that applicants along with 27 other persons were engaged in rioting and caused injury to one A.S.I. who was on duty. It is the prosecution case that applicant no.2 threw bottle of soda water at the A.S.I. who was on duty at the relvant time. Due to which, he sustained C.L.W. over the right forearm. The injury certificate does not mention that the injury was grievous or dangerous to the life. There is no material to show that on account of said injury, there was any fracture.

4. It is further the prosecution case that in the said incident, property worth Rs.75,750/- came to be robbed from the wife of the complainant. The learned advocate for the applicants states on instructions that the applicants along with others will deposit an amount of Rs.75,750/- before the Investigating Officer. Looking to the above facts, in my view, the custody of the applicants is not necessary. Hence, I am inclined to grant anticipatory bail to the applicants.

5. In the event of arrest, each of the applicant nos.1 and 2 to be released on bail in the sum of

Rs.30,000/- (Rs.thirty thousand only) with one or two sureties to make up the said amount in C.R.No.13 of 2007 of Nhava Sheva Police Station. The applicants shall report to the concerned Police Station once in a week till the conclusion of trial.

6. In the event of arrest, each of the applicant nos.3 and 4 to be released on bail in the sum of Rs.15,000/- (Rs.fifteen thousand only) with one or two sureties to make up the said amount in C.R.No.13 of 2007 of Nhava Sheva Police Station. The applicants shall report to the concerned Police Station once in a week till the conclusion of trial.

7. Application is disposed of.

[Smt. V.K.Tahilramani, J.]